

AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 1979, by and between the City of Boston, a municipal corporation of the Commonwealth of Massachusetts, acting by the Edward Ingersoll Browne Commission (The Commission), a public charitable body established by Chapter 5, of the City of Boston Ordinances of 1975, and the Boston Redevelopment Authority (The Authority), a public body, politic and corporate, established under the provisions of Chapter 121 B of the Massachusetts General Laws, (Ter. Ed.), as amended.

WHEREAS, the Commission after consulting with the Browne Fund Committee consisting of the following: a member of the Boston Society of Landscape Architects, a member of the Art Commission, the Parks & Recreation Commissioner and the Public Works Commissioner has proposed certain projects to be erected and funded according to the testamentary wishes of the late Edward Ingersoll Browne, and

WHEREAS, by Order of the City Council of the City of Boston, dated September 13, 1978, the Commission has received an appropriation to be met by the accumulated income of the Edward Ingersoll Browne Fund, and

WHEREAS, the Commission desires to facilitate achievement of the goals of the late Edward Ingersoll Browne, in part, by erecting a ceremonial gate, given to the Chinese Community of Boston by the Republic of Taiwan. In addition to the erection of the ceremonial gate, the adjacent area will be improved by landscaping, trees and brick paving, and

WHEREAS, the Commission recognizes its need for professional, engineering and architectural expertise in the carrying out and the managing of the erection of the Chinese Gate; and

WHEREAS, the Authority by its director and his professional staff and personnel have the necessary resources and appropriate facilities to complete the restoration according to the desires and plans of the Commission.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The Commission hereby agrees to and does appoint the Authority, its exclusive and sole agent to supervise every phase of the erection of the Chinese Gate as indicated in the plans attached hereto as Exhibits A, B and C.

2. Subject to the approval and confirmation of the members of the Commission, the Authority by its Director shall be and is hereby empowered in the name of the Commission:

(a) To enter into contracts with architects, engineers, general contractors, and sub-contractors for the carrying out of the work and repairs necessary for the completion of the Chinese Gate project.

(b) To draw, supervise and approve of plans and specifications of any kind or nature pertaining to the erection of the Chinese Gate.

(c) To obtain bills, invoices, and statements for construction and professional work done at the Chinese Gate project and to have exclusive authority in the approval or disapproval of such bills and statements for payment. When the Authority approves for payment a bill or invoice, subsequent written approval by the Commission shall also be obtained before disbursement of funds of the Commission.

3. The Commission shall upon execution of this Agreement deposit with the Authority funds in the amount of \$275,000.00, to be held for the payment of approved bills and invoices for work carried out under the restoration program. Any interest of the funds deposited shall inure to the Edward Ingersoll Browne Fund.

4. Upon completion of the Chinese Gate project the Authority shall return any unexpended funds to the Commission, and shall furnish a written report delineating all costs and expenditures to the Commission.

5. The Commission agrees to indemnify and find harmless the Authority against all claims of whatever nature, arising out of the project.

6. This Agreement shall be terminated upon completion of all phases of the Chinese Gate project.

IN WITNESS WHEREOF the said parties hereto set their hands and
seals on this _____ day of _____, 1979.

Edward Ingersoll Browne Commission

by

Kevin H. White - Chairman

Christopher J. Iannella

Lowell L. Richards, III

Boston Redevelopment Authority

by

Robert Ryan

Approved as to form:

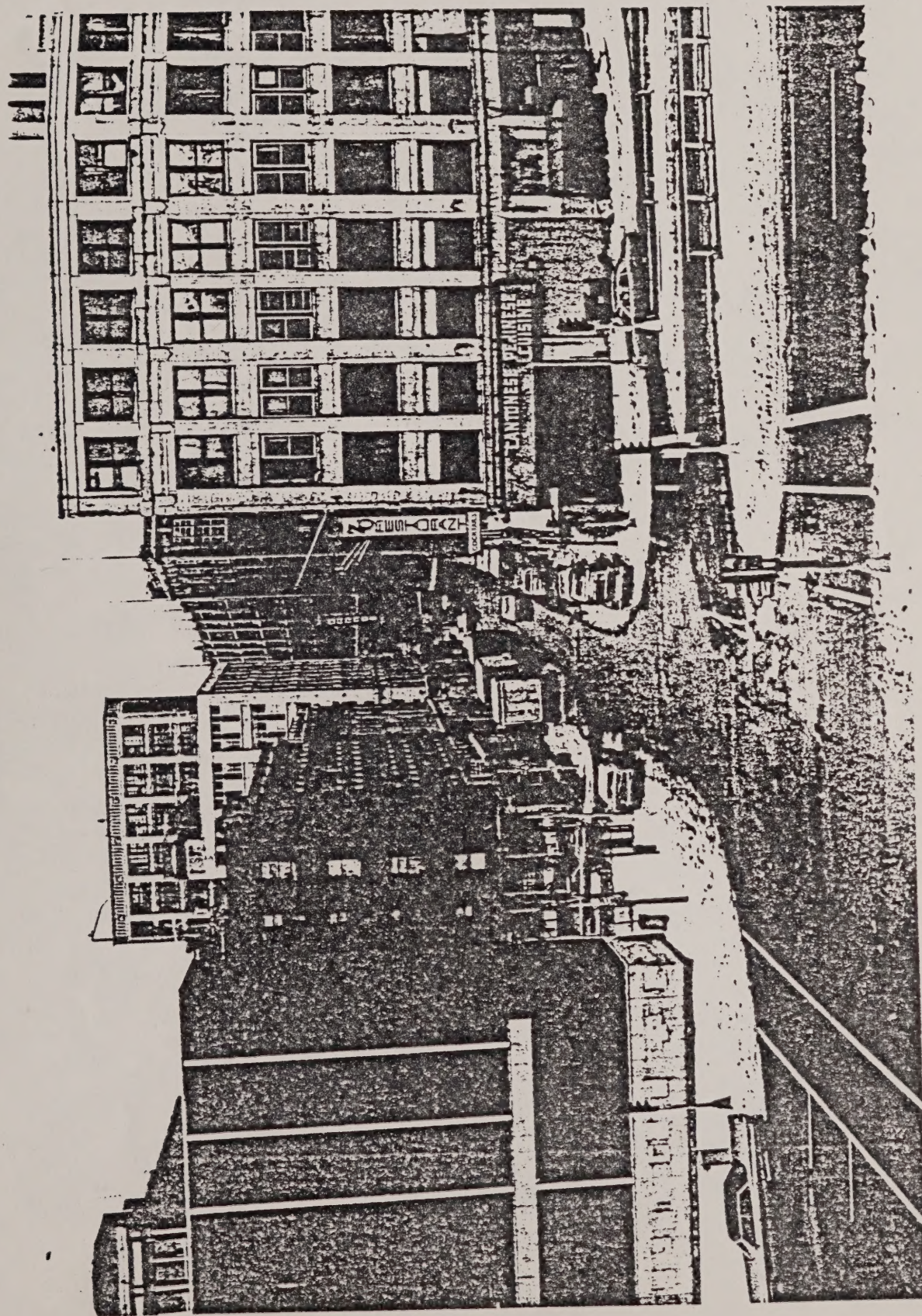
General Counsel - BRA

Corporation Counsel - City of Boston

CHINATOWN

EXHIBIT A

EXISTING: Today the main entrance to Chinatown is undistinguished and undefined, consisting of chain link fences, unnecessary through traffic, deteriorated paving and redundant signs. Green spaces are sadly lacking.



PROPOSAL: In addition to the erection of the ceremonial gates now in storage, the gift to the Chinese Community from the Republic of Taiwan, the Beach Street end of Edinboro Street will become a paved, landscaped pedestrian mall and the adjacent State DPW property will be improved visually with brick paving, trees and seating areas.

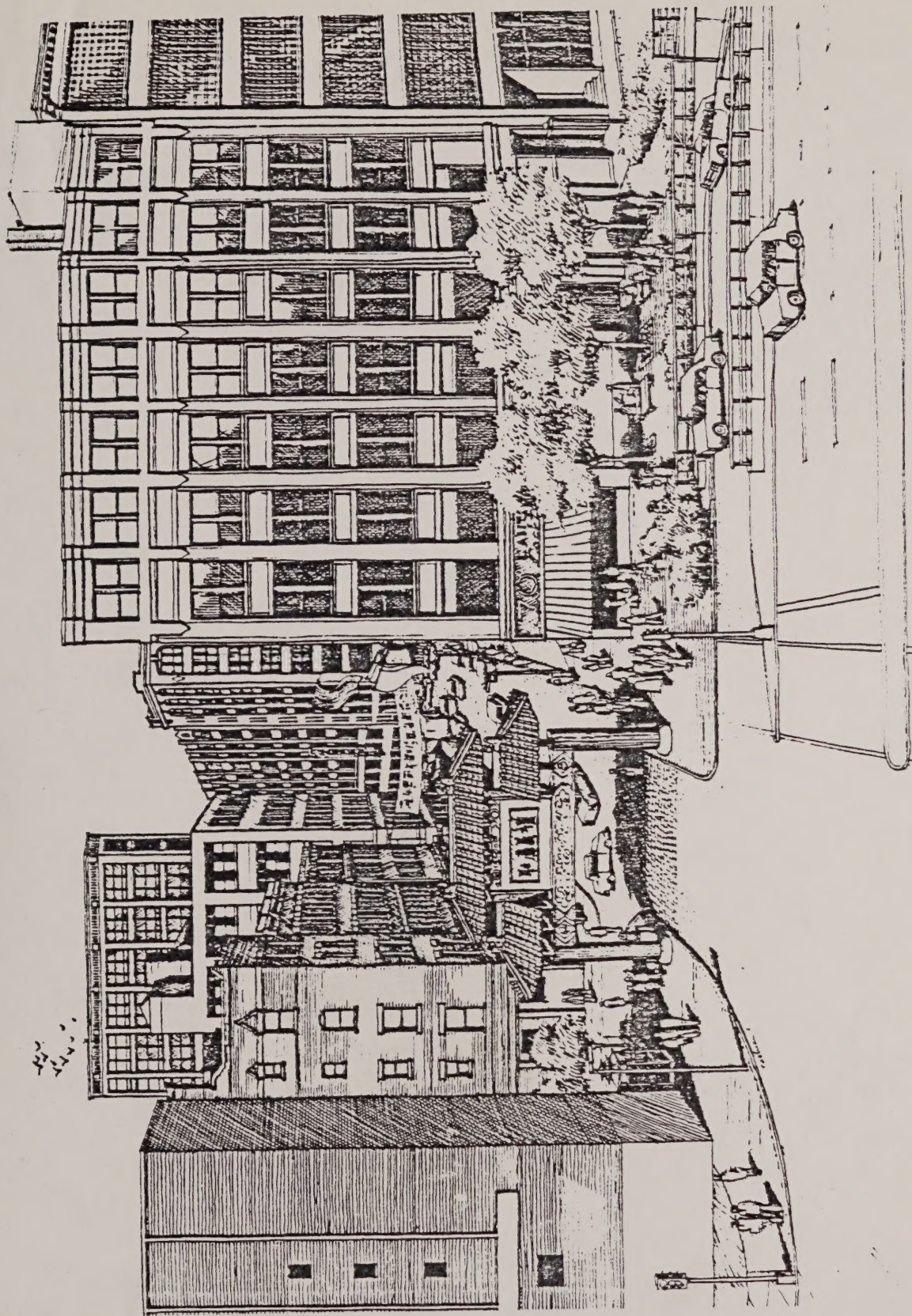


EXHIBIT C

CHINATOWN GATEWAY

THE CHINATOWN GATEWAY is composed of a structural framework of beams and columns supporting two tiers of Chinese tile roofs in the style of curved eaves and upturned corners. The Architectural Firm of Jung/Brannen has been contracted to assemble the Gateway. They are now performing borings and then test pits to determine the exact location of the Gateway and the two marble lion statues. The plan includes brick sidewalks and granite paving under the Gateway.

Adjacent to the Gateway is a park site of 3,290 square feet. The proposal for this park includes brick paving, 150' of iron picket fence with two 6' wide gates, a wooden play structure set on sand, 19 wooden benches, 11 honey locusts, and two rectilinear "pagoda" light fixtures.

It is hoped that construction will be completed or well under way by August 26th, the "Festival of the Moon."

In the next phase of planning for this area Edinboro St. will be closed and landscape improvements made.

May 29, 1979

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN

SUBJECT: EDWARD INGERSOLL BROWNE TRUST PROJECT
PERMISSION TO ENTER INTO CONTRACT WITH CITY OF BOSTON ACTING
BY THE BROWNE FUND COMMISSION
CHINESE GATEWAY

In 1901 the City received a bequest from Edward Ingersoll Browne to be used for the "adornment and benefit" of the City through the "erection of statues, monuments, fountains for men and beasts and for the ornament of its streets, ways, squares and parks..." The Browne Fund Commission established by City ordinance in 1975 is responsible to the City for the investment of Browne Trust funds and the release of those funds for proposed projects.

The Commission, the Mayor and the City Council have appropriated Browne Fund money for the construction of a ceremonial Chinese Gateway to be undertaken this year. The Gateway project includes the erection of a Gate on Beach Street in Chinatown along with the creation of landscaped sitting areas beside it.

The Commission has requested that the Boston Redevelopment Authority undertake this project because the Authority possesses the necessary professional, engineering, and architectural expertise to do this work.

In order to carry out this role, it will be necessary to enter into a contract with the City of Boston acting by the Browne Fund Commission making the Authority the agent of the Commission responsible for the supervision of all phases of the work including entering into contracts for professional services and construction, and preparing a report on the use of funds. Under the terms of the proposed contract all funding would be provided by the Browne Fund.

It is recommended that the Authority enter into this contract with the City of Boston acting by the Browne Fund Commission to construct the Chinese Gateway.

VOTED: That the Director is authorized to enter into a contract with the City of Boston acting by the Browne Fund Commission to undertake the construction of the Chinese Gateway Project.

